THE

# CIVIL LEAVE CODE.

BEING

## NOTIFICATION OF THE GOVT. OF INDIA, FINANCIAL DEPT., No. 2008, DATED 14TH MARCH 1872.

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## NOTIFICATION.

### Leave and Allowances.

*Fort William, the 14th March 1872.*

In supersession of existing rules regarding leave of absence from duty to public servants in the Civil Department, the Governor General in Council is pleased to direct the publication of the following Civil Leave Code.

As regards Covenanted Civil Servants, no change is made, except that it is expressly laid down that no officer can have "ordinary" furlough if he have rendered less than three years' service; a restriction which in the rules of 1868 was only implied.

As regards Uncovenanted Servants, the Code includes the recent orders of the Secretary of State, published in the *Gazette of India* of the 17th February last, but the following changes have been made in the original form of the rules:—

| *Sections of the proposed rules.* | *Change.* |
|---|---|
| IV. | The qualification is three years' service, and not three years' "active" service. |
| VIII (*b*). | The restriction in the last sentence is omitted. |
| IX. | Special leave without allowances is not reckoned as leave taken, in calculating the amount of furlough due. |
| | An officer is entitled to allowances during his second special leave for any period by which his first may have fallen short of six months. |
| XXI. | The additional week at the end of furlough is not admitted. |
| XXII. | Leave on medical certificate without allowances is not reckoned as furlough taken. |

One or two of the subsidiary rules are slightly altered, *e. g.*, 24, 9; and a few rules regarding procedure, which were not in the first Code, have been inserted; and a proviso has been added in section 6 (*b*).

The new rules for the Uncovenanted Service shall be deemed to have come into effect on the 3rd January 1871, being the day on which the despatch of the Secretary of State, No. 451, dated 6th December 1871, was received.

Officers who have taken leave since the 3rd January 1871 may apply for any additional allowances to which, by the rules now published under the orders of the Secretary of State, they may be entitled. But no reductions are to be made in the allowances of officers now on leave, in consequence of the leave allowances being calculated on "average salary" instead of on pay.

R. B. CHAPMAN,

*Secretary to the Government of India.*

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## CHAPTER I.

### PRELIMINARY.

Extent of application.

*Section* 1.—Leave of absence from duty may be granted under the rules in this Code—

Covenanted Servants.

(*a*), to all Covenanted Civil Servants of the Crown in India, except—

Lieutenant-Governors;

Ordinary Members of the Council of the Governor General, or of the Governor of Madras or Bombay;

Judges of the High Courts;

Uncovenanted Servants

(*b*), to all Uncovenanted Civil Servants of the classes enumerated in Schedule A, who either have been, or may hereafter be, appointed to the service of the Government of India by, or with the special sanction of, Her Majesty's Secretary of State for India, or who may be specially admitted to the benefit of these rules.

Servants under contract.

1. Servants under contract are not entitled to leave except in accordance with the terms of their contract. But if a servant of the class defined in clause (*b*) of this section is, by the terms of his contract of service, entitled to leave under the Uncovenanted Service Leave Rules, the rules referred to shall be held to be the rules in this Code.

*Section* 2.—Leave of absence from duty may be granted under the rules in the Supplements to this Code—

(*a*), to the officers excepted under Section 1 (*a*), (Supplements A, B. & C);

Barrister Judges

(*b*), to the following officers, being barristers-at-law, or advocates of one of the High Courts of India, or of the Court of Session of Scotland, viz.,—

Judges of the Chief Court of the Panjáb;

First Judges of Small Cause Courts of Presidency Towns;

*Sections* 1—2.

Recorder of Rangún;

Secretary to the Council of the Governor General for making Laws and Regulations;

(Supplement C).

(*c*), to Law Officers of Government (Supplement D);

Chaplains.

(*d*), to Chaplains (Supplement E);

Uncovenanted Servants.

(*e*), to Uncovenanted Servants other than those mentioned in Section 1 (*b*), (Supplement F).

Discretion of Government.

*Section* 3.—Leave of absence can never be claimed absolutely, as of right. Nothing in these rules must be understood to limit the free discretion of the Government to refuse or revoke leave of absence of any description, at any time, according to the exigencies of the public service.

(1). If a Local Government, under this section, refuse furlough to an officer of the Bengal Covenanted Civil Service, it should report the refusal for the sanction of the Government of India in the Home Department.

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## CHAPTER II.

### DEFINITIONS.

Active Service.

*Section* 4.—In these rules—

(*a*). "Active service" includes, besides time spent on duty:—

(1). Privilege leave of absence.

1. "Privilege leave" includes the corresponding leave, (then called "short leave on private affairs" and "leave on private affairs") under the Covenanted Service Leave Rules in force before the 1st July 1868.

(2). Subsidiary leave of absence.

1. "Subsidiary leave" includes the corresponding leave (then called "special leave") under the Covenanted Service Rules in force before the 1st July 1868; and also preparatory leave under the Uncovenanted Service Leave Rules.

In the case of Covenanted Civil Servants, it includes also—

(3). The interval between the date of an officer's first arrival in India, and the date on which he joins his first appointment.

Arrival in India.

1. The date of an officer's first arrival in India is held to have been as follows :—

Before the 31st January 1868,—the date of his actual arrival in India.

From the 31st January 1868 to the 4th May 1869, inclusive,—the date on which he reported his arrival at the capital town of the Presidency to which he was attached; or if he was attached to the North-West Provinces, the Panjáb, or Oudh, and had permission to come to India *viâ* Bombay, the date on which he reported his arrival at Bombay.

On and after the 5th May 1869,—the date on which he reports his arrival either at the seat of the Government to which he is attached, or at any other station to which he is ordered, or permitted to proceed direct.

2. If an officer does not join his first appointment within the joining time allowed him, the interval between the end of such joining time and the date on which he actually joins is not active service.

(4). Time passed in India, out of employ, on subsistence allowance, but not on furlough.

1. If a Covenanted Civil Servant on his first arrival in India is unable, from illness, to proceed to the seat of the Government to which he is attached, or to any other station to which he is ordered, the local Government in whose jurisdiction he is may, on medical certificate, grant to him a subsistence allowance of Rs. 250 a month, for not more than two months. Time thus spent is not active service.

(5). Leave of absence within the limits of the East India Company's Charter, which counted as service and residence under the Covenanted Service Leave Rules in force before the 8th June 1855.

(6). Leave of absence on urgent private affairs granted before the 3rd January 1863.

*Section* 4.

1. Examination leave of absence is also "active service;" provided that not more than twelve months can be so reckoned to any officer.

2. One year of leave of absence on medical certificate was reckoned as "residence" under the Covenanted Service Leave Rules in force before the 1st July 1868, but is not "active service."

Extraordinary leave.

(*b*). "Extraordinary leave" means leave of absence granted otherwise than under the rules in this Code or its Supplements.

*Example.* Leave in extension of the three years admissible under Section 7.

Continuous service.

(*c*). "Continuous service" and "continuous active service" mean the service, and active service, of an officer since his last return from leave of the following kinds, namely:—

in the case of a Covenanted Civil Servant, furlough or extraordinary leave lasting more than three months;

in the case of an Uncovenanted Civil Servant, furlough, special leave, or extraordinary leave, whether more or less than three months;

or, if he have not had such leave, since the beginning of his active service.

No leave can be included in continuous service, except—

in the case of a Covenanted Civil Servant, privilege leave and special leave.

in the case of an Uncovenanted Civil Servant, privilege leave.

1. Examination leave may also be included, unless the officer have already had twelve months such leave.

Pay and salary.

(*d*). "Pay" means substantive pay. The term includes also the subsistence allowance of a Covenanted Civil Servant who has an officiating, but not a substantive appointment. "Salary" is the sum of pay and acting allowance.

1. Personal allowance is, for the purposes of this Code, to be taken as part of an officer's substantive pay.

2. "Salary" does not include house-rent, tentage, or travelling allowances, whether daily, monthly, or annual;

*Section* 4.

nor does it include "local allowances," which are paid in full to the officer performing the duty for which they are given, no part being allowed to an absentee.

Local Government.

(*e.*) "Local Government" includes a Department of the Government of India, a Chief Commissioner, and the Resident at Hydarabad.

## CHAPTER III.

### FURLOUGH.

Aggregate admissible.

*Section* **5**.—The amount of furlough admissible to a Covenanted Civil Servant, and the aggregate amount of furlough and of special leave with allowances, admissible to an Uncovenanted Civil Servant, is limited to six years. All the rules in the Code are subject to this limitation.

*Explanation.*—The following leave under other rules is counted as furlough under this section :—

In the case of a Covenanted Civil Servant,—furlough, and leave with allowances on medical certificate, under former rules.

In the case of an Uncovenanted Civil Servant,—furlough, leave with allowances on medical certificate, and leave on private affairs, under former rules, or under the rules in Supplement F of this Code.

*Section* **6** (*a.*)—The amount of furlough "earned" by an officer is one-fourth of his active service.

*Proviso.*—Provided that, in making this calculation for an Uncovenanted Civil Servant, only half of the active service rendered by him in offices other than those included in Schedule A shall be taken into account.

1. The whole of the active service rendered while officiating in any of the offices included in Schedule A is to be taken into account.

Amount due

(*b.*) The amount of furlough "due" to an officer is the amount which he has earned, diminished by—

*First,* in the case of a Covenanted Civil Servant,–

(1) the amount of furlough which he has enjoyed under these or any former rules

*Sections* 5—6.

except junior furlough under the rules in force before the 8th June 1855;

(2) the excess over one year in the amount of leave with allowances on medical certificate which he has enjoyed under former rules.

*Secondly*, in the case of an Uncovenanted Civil Servant,—

(3) the amount of furlough or special leave with allowances which he has enjoyed under these or any other rules;

(4) the amount of leave on private affairs or on medical certificate with allowances which he has enjoyed under the rules formerly applicable to him.

1. Leave of the kind described in Section 4 (*a* 5) is not counted against an officer under this section or under Section 5.

*Proviso.*—Provided that if more than two years' furlough be due to an Uncovenanted Civil Servant when he is first admitted to the benefit of these rules, the excess shall be cancelled.

AMOUNT ADMISSIBLE after 3 years' service.

*Section* 7 (*a.*)—To an officer who has rendered three years' continuous service, furlough for not more than two years may be granted, as follows:—

*First*, on medical certificate,—unconditionally;

See Section 25, Rule 2.

*Secondly*, without medical certificate,—subject to these provisoes—

(1) that the furlough be due to him;

(2) that he have rendered eight years' active service;

(3) that the whole number of officers absent on furlough and special leave do not exceed the limit appointed by the Government of India.

Limit.

1. Except on medical certificate, or on very urgent private affairs, furlough or special leave may not be granted to a Covenanted Civil Servant in Oudh, the Central Provinces, British Burmah, Ajmír, Mysore and Coorg, and the

*Section* 7.

Berars, if one-fifth of the whole number of officers, Covenanted, Military, and Uncovenanted, serving in the same Commission are already absent on furlough or special leave. In other Local Governments, it may not be granted, if one-fifth of the whole number of Covenanted Civil Servants serving under the orders of the same Local Government are already absent on furlough or special leave.

(*b.*) Furlough granted under this section may, on medical certificate, be extended to not more than three years.

After less than three years' service.

*Section* **8** (*a.*)—To an officer who has not rendered three years' continuous service, furlough for not more than one year may be granted on medical certificate.

(*b.*) Furlough granted under this section for less than one year may, on medical certificate, be extended to not more than one year.

*Section* **9** (*a.*)—An officer on ordinary furlough has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay.

Ordinary furlough.

*Explanation.*—Ordinary furlough includes—

(1) the first two years of each separate period of furlough under Section 7;

(2) so much of furlough under Section 8 as may be due, provided the officer have rendered six months' continuous active service.

Other furlough.

(*b.*) On other furlough a Covenanted Civil Servant has no lien, but an Uncovenanted Civil Servant has a lien.

1. An officer may not surrender his lien; and a local Government may not fill up substantively an appointment on which an officer has a lien without transferring the officer to another substantive appointment of not less pay. The saving which accrues to the State by paying acting allowances, instead of substantive, must be carefully secured as a set-off against the cost of leave allowances.

2. An officer may have a lien on an appointment without having actually joined it.

*Sections* 8—9.

3. An officer on furlough has no claim to substantive promotion; but there is no objection to such promotion.

4. An officer on furlough has no lien on an acting appointment.

ALLOWANCES On ordinary furlough.

*Section* 10 (*a.*)—An officer on ordinary furlough is entitled, subject to the limitations prescribed in clauses (*b*) and (*c*) of this section, to a leave allowance equal to half the average salary which he has earned during so much of his continuous active service as is within the three years preceding the day on which he gives up office.

Provided that subsidiary leave shall not be included in active service under this section, nor periods during which an officer has been out of employ in India, otherwise than as a penalty for misconduct.

Limits.

(*b.*) The maximum leave allowance of a Covenanted Civil Servant on ordinary furlough is, if paid at the Home Treasury of the Government of India, £250 a quarter, and if paid in India, Rs. 833⅓ a month. The minimum is, if paid at the Home Treasury, £125 a quarter, or his last salary, whichever is less; and if paid in India, Rs. 416⅔ a month, or his last salary, whichever is less.

(*c.*) The maximum leave allowance of an Uncovenanted Civil Servant on ordinary furlough is, if paid at the Home Treasury of the Government of India, £200 a quarter, and if paid in India, Rs. 666⅔ a month. There is no minimum limit.

1. An officer on furlough does not forfeit his past leave allowance by resigning the service without returning to India.

On other furlough.

*Section* 11.—An officer on furlough, other than ordinary, is entitled, if a Covenanted Civil Servant, to subsistence allowance, and if an Uncovenanted Civil Servant, to £120 a quarter paid at the Home Treasury, or Rs. 400 a month paid in India, or to one quarter of the average salary defined in Section 10 (*a*), whichever is less.

*Sections* 10—11.

Subsistence allowance.

1. The following are the rates of subsistence allowance for Covenanted Civil Servants:—

| | |
|---|---|
| To an officer of not more than eight years' actual residence in India ... | Rs. 250 a month. |
| To an officer of more than eight, but less than twelve years' actual residence in India ... ... | „ 320 „ |
| To an officer of twelve or more years' actual residence in India ... | „ 400 „ |

## CHAPTER IV.

### Special Leave of Absence.

Amount admissible.

*Section* **12**.—Special leave on urgent private affairs may be granted at any time for not more than six months:

Provided that an officer who has had special leave must render six years' active service before he can again have such leave.

1. The corresponding leave under the Covenanted Service Leave Rules in force before the 1st July 1868, is "special leave" within the meaning of this proviso.

Lien.

*Section* **13**.—An officer on special leave has a lien on his substantive appointment, or on a substantive appointment of a like character and not less pay.

See Rules under Section 9.

Allowances.

*Section* **14** (*a*.)—For the first six months for which an officer is on special leave, whether the six months be included in the same leave or not, he is entitled to the leave allowance admissible under Section 10.

(*b*.)—Thereafter he is entitled to no leave allowance.

1. The corresponding leave under the rules in force before the 1st July 1868 is "special leave" within the meaning of this section.

*Sections* 12—14.

## CHAPTER V.

### SUBSIDIARY LEAVE OF ABSENCE.

AMOUNT ADMISSIBLE.

*Section* **15** (*a.*)—Furlough and special leave, out of India, begin on, and include, the date of the departure of the vessel in which the officer sails; and to an officer taking such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up office, to the day before that on which his furlough or special leave begins.

(*b.*)—Furlough and special leave, out of India, end on, and include, the date of the arrival of the vessel in which the officer returns; and to an officer coming back from such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day after that on which the vessel arrives, to the day before that on which he assumes the office to which he may be appointed.

1. Subsidiary leave may be granted to a Covenanted Civil Servant retiring from the service, to the same extent, and with the same allowances, as if he were going on furlough. To an Uncovenanted Civil Servant, such leave may be given on half-pay for fourteen days, but only if it cause no additional expense to the State.

2. Subsidiary leave for more than thirty days may be granted in cases of necessity; but all such grants, and the reasons for them, must be reported to the Government of India.

Port of embarkation

3. An officer may leave India, or return to India, by any port he likes; but the dates by which the beginning and end of furlough and special leave are determined, are the date of the vessel's departure from the port where he first meets it, and arrival at the port where he quits it. For instance, an officer sailing from Calcutta in a vessel which touches at Madras, counts by the date of departure from Calcutta, and not from Madras.

4. The date of the departure of a vessel from Calcutta is held to be the date on which the pilot leaves it at sea.

Reports required

5. An officer quitting India after subsidiary leave must report his departure to the local Government which granted him the leave; and he must report his arrival in England to the Secretary of State.

*Section* 15.

*Explanation.*—An officer may take furlough or special leave partly in, and partly out of, India. But subsidiary leave is not admissible under clause (*a*) of this section, unless the furlough or special leave begins as furlough or special leave out of India; nor under clause (*b*), unless it ends as furlough or special leave out of India.

1. If an officer remains in India after the end of subsidiary leave under clause (*a*), his furlough or special leave will be held to have begun as furlough or special leave in India, and will be counted from the day on which he gave up office.

LIEN

*Section* **16** (*a.*)—An officer on subsidiary leave under clause (*a*) of Section 15 has, or has not, a lien on an appointment according as he has, or has not, such lien on the first day of the leave to which it is subsidiary.

(*b.*)—An officer on subsidiary leave under clause (*b*) of Section 15 has, or has not, a lien on an appointment according as he has, or has not, such lien on the day last preceding the subsidiary leave.

ALLOWANCES

*Section* **17.** An officer on subsidiary leave is entitled to allowances as follows:—

Ordinary furlough

(*a.*) If the leave immediately following, or immediately preceding, the subsidiary leave be ordinary furlough, or if it be special leave, and the officer have not had leave subsidiary to a former special leave,—the allowance admissible under Section 10, but calculated, in the case of a Covenanted Civil Servant, without limitation of maximum or minimum.

Other furlough.

(*b.*) If the leave immediately following, or immediately preceding, the subsidiary leave be furlough other than ordinary,—the allowance admissible under Section 11.

Special leave

(*c.*) If the leave be subsidiary to special leave, and the officer have had leave subsidiary to a former special leave,—no allowance.

(*d.*) If the officer, under Section 24, have ceased to have a lien on a substantive appointment, —subsistence allowance in the case of a Covenanted

Civil Servant, and no allowance in the case of an Uncovenanted Civil Servant.

1. The corresponding leave under the Covenanted Service Rules in force before the 1st July 1868 is special leave within the meaning of this section.

Privilege leave allowances.

2. An officer may draw allowances as if he were on privilege leave, for any part of his subsidiary leave under clause (*a*) of Section 15, for which, if he were not going on furlough or special leave, privilege leave would be admissible to him.

## CHAPTER VI.

### Privilege Leave of Absence.

Amount admissible.

*Section* 18.—Privilege leave may be granted as follows :—

After eleven months' uninterrupted duty,—for not more than one month.

After twenty-two months' uninterrupted duty,—for not more than two months.

After thirty-three months' uninterrupted duty,—for not more than three months.

Officers who have vacations.

1. To Uncovenanted Judicial and Educational Officers, whose duties are not continuous, and who enjoy regular vacations, during which they are allowed to be absent from duty, privilege leave is not admissible except in case of urgent necessity.

2. The Local Government may, with the sanction of the Government of India, impose similar restrictions in the case of Covenanted Officers.

Declaration required

3. Before privilege leave can be granted to an officer, he must record a declaration that he has no intention of retiring or of taking furlough, special leave, or leave on private affairs or medical certificate, within three months of his return to duty. Though not absolutely debarred by this declaration from applying to retire or to take such leave within the three months, he should, if he does so, explain fully his change of mind.

Qualification.

4. Time spent on subsidiary leave does not qualify for privilege leave. But if an officer returning from leave be, solely for the convenience of the Local Government, and not for any fault of his own, prevented from joining an

appointment on which he has a lien, or if he be kept out of employ on subsistence allowance, then duty qualifying for privilege leave begins on the day on which he presents himself to the Local Government ready for duty.

5. When an officer is first appointed to the public service, duty qualifying for privilege leave does not begin until he takes charge of a particular office.

6. "Examination leave" may, if the examination for which it was granted be successfully passed, count as duty qualifying for privilege leave, unless the officer have already had twelve months' such leave.

7. Suspension as a penalty for misconduct is an interruption of duty within the meaning of this section.

8. If an officer remains absent after the end of examination leave or of joining-time, the period of absence cannot count as duty qualifying for privilege leave, and unless the absence is accounted for to the satisfaction of the Local Government, it is an interruption of duty within the meaning of this section.

Instalments.

*Section* 19 (*a*).—If less than the whole amount of privilege leave admissible under Section 18 be at first granted, the rest may be granted afterwards, either at one time, or in instalments:

Provided that no privilege leave may be granted under this clause after less than six months' uninterrupted duty.

1. Officer absent on privilege leave has been recalled to duty on public grounds, the next instalment of the leave may be granted without reference to this proviso.

(*b*). Duty qualifying for fresh privilege leave begins at the end of the leave first granted; and further leave under clause (*a*) of this section, though not counting as duty, does not interrupt duty for fresh privilege leave.

(*c*). Fresh privilege leave, if admissible under Section 18, may be granted in combination with leave under clause (*a*) of this section:

Provided that no length of duty can, under any circumstances, qualify for more than three months' privilege leave.

Lien

*Section* 20.—An officer on privilege leave has a lien on his substantive appointment. He has also

a lien on his officiating appointment, so long as it is not resumed by an officer having a superior lien on it.

ALLOWANCES.

*Section* **21.**—An officer on privilege leave is entitled to a leave allowance equal to the pay or salary which he would earn if he held or officiated in the appointment on which he has a lien.

1. If privilege leave is granted to an officer who holds an appointment sanctioned only for a limited time, and for a special purpose, he is not entitled, during privilege leave, to any special allowance attached to the appointment.

Acting allowances

2. If an officer on privilege leave obtains officiating promotion which, were he on duty, would, without involving any increase or change of duties, or responsibility, entitle him to acting allowance or increased acting allowance, he is entitled to the acting allowance, or increased acting allowance, from the date of such promotion.

3. An officer on privilege leave is entitled to acting allowance, even though another officer be appointed to act for him.

4. If an officer, who has been temporarily promoted from a lower to a higher officiating appointment, takes privilege leave on being relieved of the latter, and the Local Government declares that, on being so relieved, he has reverted to the lower officiating appointment, his allowances on leave shall be calculated as if he had rejoined it.

House-rent.

5. In Bombay, an officer on privilege leave may draw the house-rent or tentage attached to his appointment, if he places his house or tent at the disposal of the officer, if any, who officiates for him. The officiating officer cannot draw the house-rent or tentage attached to the same appointment. But if the officiating officer, for a reason which the Local Government considers sufficient, refuses the accommodation placed at his disposal, the allowance is to be drawn by him and not by the absentee.

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## CHAPTER VII.

### EXAMINATION LEAVE OF ABSENCE.

Examination Leave

1. A Covenanted Civil Servant, who is a candidate for one of the rewards offered for the study of Oriental Languages, may be allowed leave for one month for the purpose of being examined.

2. If he pass the examination, he may be allowed similar leave for another month.

*Section* 21.

3. An officer on examination leave has a lien on his appointment (substantive or officiating), and is entitled to leave allowance, as if he were on privilege leave.

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## CHAPTER VIII.

### JOINING-TIME.

[ The rules in this Chapter apply to all officers in civil employ.]

1. Joining-time is the time allowed to an officer to proceed from one station to another when his appointment is changed, or when, being unemployed, he is appointed to any office. An officer is held to be on duty during joining-time, if he is entitled to allowances.

Amount admissible.

2. Joining-time is allowed as follows:—

For that part of the route for which railway is available, —one day for every hundred miles.

For that part of the route for which steamer is available,—one day for every hundred miles, or such longer time as the steamer may actually occupy.

Where neither railway nor steamer is available,—one day for every ten miles.

And six days in addition to the whole thus calculated.

Sundays are excluded in the calculation of joining-time.

3. The full joining-time is allowed only if it is spent *bonâ fide* in preparation for the journey or in progress from one station to another; and no more than three months may be given under any circumstances. The Government also, which orders a transfer, may limit the duration of joining-time.

When leave intervenes.

4. When an officer, after giving over charge of his office at one station on transfer or reversion to another, takes privilege or examination leave before joining the office to which he has been transferred, or to which he has reverted; or when an officer, while on privilege or examination leave, is transferred to a station other than that from which he took leave,—he is entitled to joining-time in addition to his privilege or examination leave. The joining-time of an officer transferred during privilege or examination leave will be counted from his old station, or from the place where he received the order of transfer, whichever is nearer to his new station.

5. An officer, the head quarters of whose office are not fixed at one station, must, on the expiry of leave, rejoin his office wherever either the head quarters of the office or his

*Section* 21.

*locum tenens* may actually be, provided that the Government, or other authority by whom the leave was granted, may, for any public reason, permit or require the officer to rejoin elsewhere.

6. If an officer, during transit from one appointment to another, obtains furlough on medical certificate (with or without subsidiary leave prefixed), he will be allowed only the joining-time calculated for the journey from his old station to the furthest place to which he has proceeded on his route to his new station.

Allowances.

7. Except in the case mentioned in the next rule, an officer draws during joining-time the following allowances :—

(*a*) First, as regards pay,—
the pay which he drew in his old appointment, or that which he draws in his new, whichever is less.

(*b*) Second, as regards acting allowance :—

(1) if transferred from an officiating appointment to an appointment, officiating or substantive, of not less salary,—the acting allowance of his old appointment;

(2) if, after being promoted from a lower to a higher officiating appointment with retention of lien on the lower one, he is relieved of the higher and returns to the lower officiating appointment, or to another appointment, officiating or substantive, of not less salary,—the acting allowance of the lower officiating appointment :

(3) Provided that no officer can draw acting allowance for any appointment after any one having a superior lien on it has resumed it.

8. An officer who has no substantive appointment, and is not in the Covenanted Civil Service or the Army, is not entitled to any allowance during joining-time; but if such an officer, while officiating in an office, is transferred to another office in the same department, and under the same Local Government, the Local Government may allow him to draw, during his transit, the allowance to which he would be entitled under Rule 7.

*Illustration.*—A, who has no substantive appointment, but is officiating as Sub-Registrar of Assurances in Bardwan, is appointed to officiate as Deputy Magistrate and Deputy Collector in Rajshahye, and subsequently transferred to officiate as Deputy Magistrate and Deputy Collector in Patna. A is not entitled to any allowance during his transit

*Section* 21.

from Bardwan to Rajshahye, but he may be allowed by the Local Government to draw, during his transit from Rajshahye to Patna, the allowance to which he would be entitled under Rule 7.

## CHAPTER IX.

### EXTENSION AND COMMUTATION OF LEAVE.

Extension and Commutation.

*Section* **22**. Except as provided in Section 15, no kind of leave can be granted in continuation of any other kind; but any leave may be retrospectively changed for any other kind or amount of leave which might at first have been granted:

Provided that the grant, or extension of furlough, under this rule (otherwise than on medical certificate), is subject to Proviso 3 in Section 7 (*a*).

1. Except by the Secretary of State, leave cannot be changed or extended without the permission of the Local Government which originally granted it.

2. Examination leave may be granted in continuation of privilege leave, but no kind of leave, except furlough on medical certificate, can be granted in continuation of examination leave.

3. When privilege leave is, on medical certificate, retrospectively changed for furlough out of India, so much of the leave passed before the departure of the vessel in which the officer sails may be treated as subsidiary leave under clause (*a*) of Section 15, as might have been granted as subsidiary leave, if the officer had originally obtained furlough and not privilege leave.

## CHAPTER X.

### PAYMENT OF LEAVE ALLOWANCES.

[The rules in this Chapter apply to all officers in civil employ.]

Allowances how payable.

*Section* **23** (*a*). Leave allowances are payable in India after the end of each month; but an officer on furlough or special leave out of India may, at his option, take payment at the Home Treasury of the Government of India.

1. An officer quitting India on furlough or special leave must take with him a last-pay certificate, whether he intends to draw his allowances in England or not. For rules, see next Chapter.

*Sections* 22—23.

Treasury forms.

2. A gazetted officer may draw his allowances at any treasury in India. If he signs the bill himself, he must either appear in person at the place of payment, or must furnish a life-certificate by a Covenanted Civil Servant, a Magistrate, a Notary, a Banker, or a Minister of Religion. If he draws the allowances through an authorised agent, the agent must either furnish a life-certificate as above, or must execute a bond to refund over-payments. A life-certificate may be given periodically, a bond being given to cover intermediate payments not supported by the life-certificate.

(Forms of life-certificate may be procured at the India Office, London).

3. A non-gazetted officer can draw his leave allowances only at the treasury whence his salary is disbursed, and under the signature of the head of the office to which he is attached; this officer is responsible for any over-charges, and no other security is required.

Exchange with England.

(*b*). If payment be taken at the Home Treasury, it is made quarterly, and rupees are converted into sterling at the rate of exchange fixed, for the time being, for financial transactions between the Imperial and the Indian Treasuries.

1. If an officer's contract of service contains a stipulation to the effect that "a pound sterling shall be considered equal to and calculated after the rate of ten rupees," his leave allowances shall be converted into sterling at that rate.

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## CHAPTER XI.

### LAST-PAY CERTIFICATE.

(The rules in this Chapter apply to all officers in civil employ.)

Last pay certificate.

1. No officer (unless he has been newly appointed to the service of Government) can begin to draw pay or allowances at any treasury in India, or at the Home Treasury of the Government of India, without producing a last-pay certificate from the treasury where his pay or allowances were last disbursed, or from the Accountant General within whose jurisdiction that treasury is.

2. An officer must, if possible, appear personally at the office where his last-pay certificate is completed.

3. The following are the rules and forms prescribed for the issue of last-pay certificates in India.

*Sections* 22—23.

The cases in which these certificates are given are thus classified :—

Case I.—To an officer proceeding on leave to Europe and embarking at a port in the presidency or province in which he is employed;

Case II.—To an officer proceeding on leave to Europe and embarking at a port in another presidency or province;

(*a*) If he be employed at, or have to pass through, the station of the Accountant General of his presidency or province;

(*b*) If he be not employed at, and have not to pass through, that station;

Case III.—To an officer proceeding on leave from one place in India to another, whether the two places are or are not within the same presidency or province;

Case IV.—To an officer proceeding on duty from one presidency or province to another;

Case V.—To an officer proceeding on duty from one place to another in the same presidency or province.

The rules for each of these cases are as follows:—

CASE I.

Officer embarking in his own presidency

The Accountant General should give the officer a certificate in Form A, Appendix B, and, save in the cases below excepted, forward a duplicate certificate, in the same form, to the Local Government for transmission to the Secretary of State.

*Exceptions.*—1. If the officer embark at a port in British Burmah, the Accountant General should forward the duplicate form direct to the Financial Department of the Government of India for transmission to the Secretary of State.

2. If the officer embark at Calcutta, the Accountant General should, in like manner, forward the duplicate form to the Financial Department, after filling up the blanks in the pilot's certificate at its foot.

CASE II (*a*).

Officer embarking in another presidency

The Accountant General should pay the officer* his allowances up to the date of his departure from his (the Accountant General's) station, and should give him a certificate in Form B, Appendix B, leaving the 5th, 7th, and 8th spaces blank, and send a duplicate, after signing the letter on the reverse, to the Accountant General, or (if there be no Accountant General) to the officer in charge of the treasury at the port at which the absentee intends to embark for

* The officer, if he be not employed at the Accountant General's station' should bring a last-pay certificate, in a form similar to Form M, from the Officer in charge of the treasury where his salary was last disbursed.

*Sections* 22—23.

Europe. The Accountant General or Treasury Officer at the port of embarkation should follow the instructions in the letter addressed to him, and return the original form to the officer. If he be an Accountant General, he should forward the duplicate to the Local Government for transmission to the Secretary of State, and address a letter in the Form E, Appendix B, to the Accountant General of the officer's presidency; but if he be a Treasury Officer, he should forward the duplicate to the Accountant General of his own presidency, who will forward it to the Local Government for transmission to the Secretary of State, and address a letter in the Form F, Appendix B, to the Accountant General of the absentee's presidency.

CASE II (*b*).

The Accountant General should send to the officer a certificate in Form C, Appendix B, leaving the 5th, 7th, and 8th spaces blank, and forward a duplicate to the Accountant General or Treasury Officer at the port at which the officer intends to embark for Europe. Before the officer's departure from his station, the officer in charge of the treasury from which he last drew pay should fill up and attest the certificate at the end of the original Form C. The Accountant General or Treasury Officer at the port at which the officer intends to embark should follow the instructions in the letter to his address on the back of Form C, and after copying the entries and signature from the certificate at the end of the original form into the duplicate, should return the original form to the officer. If he be an Accountant General, he should forward the duplicate certificate to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the form to the Accountant General of the absentee's presidency, with a letter in the Form G, Appendix B; but if he be a Treasury Officer, he should forward the duplicate Form E to the Accountant General of his own presidency, who will send it to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the form to the Accountant General of the absentee's presidency, with a letter in the Form H, Appendix B.

But in the case of a Covenanted Civil Servant, or a Military Officer in civil employ, or an Uncovenanted Civil Servant of the class as specified in Section 1 (*b*) of the Code, if the officer's appointment have been changed within the period, on his average salary for which the leave allowance is to be calculated, the rate of leave allowance will sometimes depend on the date on which he may make over charge of his office, and the Accountant General may not be aware of

that date at the time the last-pay certificate is prepared. In such cases the Accountant General should send to the officer a document in the Form D, Appendix B, leaving the 5th, 6th, 8th, and 9th spaces on the face of the form blanks and should forward a duplicate of it to the Accountant General or Treasury Officer at the port at which the officer intends to embark. Before the officer's departure from his station, the officer in charge of the treasury from which he last drew pay should fill up the 6th space on the face of the original form, and fill up and attest the certificate at the end of that form. The Accountant General or Treasury Officer at the port at which the officer intends to embark should follow the instructions in the letter to his address on the back of the form, and having copied in the duplicate form the entry in the 6th space on the face of the original form and the entries and signature in the certificate at the end, should return the original form to the absentee. If he be an Accountant General, he should forward the duplicate form to the Local Government for transmission to the Secretary of State, and send a copy of the certificate at the end of the form to the Accountant General of the absentee's presidency, with a letter in the Form K, Appendix B; but if he be a Treasury Officer, he should forward the duplicate Form D to the Accountant General of his own presidency, who will send it on to the Local Government for transmission to the Secretary of State, and forward a copy of the certificate at the end of the Form D to the Accountant General of the absentee's presidency, with a letter in the Form L, Appendix B.

CASE III.

Proceeding on leave to another place in India.

The Accountant General will give the officer a certificate in Form A, Appendix B; but if the officer is proceeding to a place within the same presidency or province, the tenth space in the form may be left blank.

CASE IV.

Proceeding on duty to another Province

The officer should obtain a certificate in the Form M, Appendix B. If he be employed at the station of the Accountant General of his presidency, the certificate should be given by that officer. If he have to pass through that station on his way to his new presidency, the certificate should be given by the officer in charge of the treasury from which he last drew pay and countersigned by the Accountant General. If he be not employed at, and have not to pass through, the Accountant General's station, the certificate should be given by the officer in charge of the treasury from which he last drew pay, and a duplicate of it should be forwarded by the Treasury Officer to the Accountant General for countersignature and transmission to the Accountant General of the transferred officer's new presidency.

CASE V.

To another place in the same Province.

The officer should obtain a last-pay certificate in Form M from the officer in charge of the treasury from which he last drew pay.

## CHAPTER XII.

### RETURN TO DUTY.

Overstay of leave.

*Section* **24**. An officer who remains absent after the end of his leave is entitled to no allowance for the period of such absence, and he ceases to have a lien on any appointment, if his leave was furlough, immediately, and, if it was special or privilege leave, after a week.

Permission to return to duty

1. An officer on furlough or special leave in Europe may not return to India without obtaining the permission of the Secretary of State.

2. The grant by the Secretary of State to an officer on leave of permission to return to duty by a particular steamer, is equivalent to an extension of leave without prejudice to the officer's appointment until the date the steamer arrives.

3. A gazetted officer returning to duty must report his return to the Local Government. An officer of the Bengal Covenanted Civil Service returning from furlough must report his return to the Government of India also.

4. An officer permitted to return to duty before the end of his leave should have the unused part of his leave formally cancelled by the authority which granted it; but this is not necessary if his return from leave is separately notified in the Gazette.

5. The Local Government may exempt an officer from loss of appointment under this section, if it considers that his default was due to circumstances beyond his control.

Change of appointment during furlough.

6. If the appointment of an officer is changed during furlough or special leave out of India, or upon his reporting his return, he must join his new appointment within the subsidiary leave allowed him. Nothing in excess of the allowances admissible for subsidiary leave can be passed to him until he joins his new office.

7. If the appointment of an officer is changed during furlough or special leave in India, he must join his new appointment within the leave. But the Local Government may give him joining-time, if he have not had sufficient notice of the change.

8. An officer the head quarters of whose office are not fixed at one station must, at the end of his leave, rejoin his office wherever either the head quarters of his office or his *locum tenens* may actually be; but the Government or other authority which granted the leave may, for public reasons, permit or require the officer to rejoin elsewhere.

9. An officer begins to draw pay and acting allowance from the day on which he assumes the office (substantive or officiating) to which he may have been appointed, or on which he may have a lien. But if his leave or joining time end on a Sunday or holiday, and he take charge on the first working day after such Sunday or holiday, his assumption of office and the re-arrangement of appointments (if any), consequent thereon, shall be held to have taken place on the day after that on which his leave ended: Provided that such re-arrangement (if any) does not involve the transfer of any officer to another station, or the formal appointment of any officer to a new office.

10. If charge of an office is transferred after noon, the transfer does not affect allowances till the next day.

## CHAPTER XIII.

### APPLICATIONS FOR LEAVE.

Applications for leave

*Section* **25**. Applications for leave are to be submitted to the Local Government, which will deal with them in such manner as the Governor General in Council may prescribe.

1, (*a*). When an officer applies for leave, he should distinctly state under what section of these rules he wants it, and should show that he is entitled to it under that section.

(*b*). Local Governments may grant leave under the rules to officers serving under their orders. Before granting the leave, they should obtain report of the Accountant General as to the applicant's title to it.

(*c*). A Local Government granting leave to an officer of the Bengal, Madras, or Bombay Covenanted Service serving out of his own presidency, should inform the Government of India, Madras, or Bombay as the case may be.

(*d*). The Local Governments should, at the end of each quarter, submit to the Home Department of the Government of India a statement of officers of the Bengal Covenanted Civil Service absent on furlough or special leave (including subsidiary leave) granted by them. A register prepared from these statements is kept in the Home Department, and is published quarterly in the *Gazette of India*.

Medical certificate.

2, (*a*). Applications from officers in India for leave, or extension, or commutation of leave on medical certificate, must be accompanied by a medical certificate in the following form :—

> I, *A. B.*, Surgeon at, or of, , do hereby certify that *C. D.*, of the Service, is in a bad state of health, and I solemnly and sincerely declare that, according to the best of my judgment, a change of air is essentially necessary to his recovery, and do therefore recommend that he may be permitted to proceed to sea [*or to such place as the Surgeon may think proper, expressing it in the certificate*].

(*b*). The applicant must (unless the state of his health absolutely prevent it) present himself, with two copies of the statement of his case, before the Medical Board at any of the presidency towns, and obtain their certificate as follows :—

> We [*or* I] do hereby certify that, according to the best of our [*or* my] professional judgment, after careful personal examination of the case, we [*or* I] consider the state of health of *C. D.* to be such as to render leave of absence for a period of blank absolutely necessary for his recovery.

(*c*). An officer serving in Burmah need not appear at a presidency town, but must obtain the certificate from a Medical Board composed of the Deputy Inspector General of Hospitals, and the two next senior medical officers, at Rangoon.

(*d*). If the officer is going on leave out of India, he should take with him one copy of his case.

(*e*). If the applicant for an *extension or commutation of leave* on medical certificate be residing out of India, and within 20 miles of London, he must produce a certificate from the Medical Board attached to the India Office, showing the necessity for the extension or commutation. If he be residing beyond that distance from London, certificates in the second of the above forms must be produced from two medical practitioners; but he is liable to be called upon to produce other evidence.

3. Unless specially otherwise ordered, leave must begin within 35 days of the date on which it was granted.

4. No-demand certificates are not required from officers going on leave except in the Public Works Department.

Priority of claim.

*Section* **26.** If under the operation of Proviso 3, Section 7 (*a*) the applications for furlough (in-

cluding those under Section 22) cannot all be complied with, furlough will be granted in the following order:—

*First.*—To those applicants to whom most furlough is due;

*Secondly.*—Of two or more applicants to whom the same amount is due, to him who has rendered longest continuous active service;

*Thirdly.*—Of two or more such applicants who have rendered the same continuous active service, to the senior.

(Schedule A.—Referred to in Section 1 (b).

(Schedule A.—Referred to in Section 1 (b).

## SCHEDULE A.

REFERRED TO IN SECTION 1 (*b*).

Officers holding substantive appointments, such as are usually held by Covenanted Civil Servants, or Commissioned Officers of the Army or any of those specified in the following list :—

LAND REVENUE.—Officers of the Settlement Department above the rank of Deputy Collector, or Extra Assistant Commissioner.

FOREST.—Assistant Conservators and officers of higher rank.

CUSTOMS.—Commissioner, Deputy Commissioner, and Collectors of Inland Customs, Deputy and Assistant Commissioners of Sea Customs.

OPIUM.—Sub-Deputy Opium Agents.

POST OFFICE.—Presidency Post Masters, Chief Inspectors, and officers of higher rank.

TELEGRAPH.—Assistant Superintendents and officers of higher rank.

ADMINISTRATION.—Assistant and Under Secretaries to Government, Superintendent of Government Printing.

SURVEY.—Trigonometrical, Topographical, and Revenue.—Assistant Surveyors and officers of higher rank.

Geological.—Officers on the graded list.

FINANCIAL.—Officers of 5th and higher grades.

JUDICIAL.—Judges of the Chief Court of the Panjab (not being Barristers). Judges and Registrars of Presidency Small Cause Courts. Civil Judges in Oudh. Magistrates of Police in Presidency Towns. Registrars of High Courts. Clerks of the Crown.

REGISTRATION.—Inspectors-General of Registration.

POLICE.—District Superintendents and officers of higher rank.

MARINE.—Master Attendants, Deputy and Assistant Master Attendants.

EDUCATION.—Officers on the graded list.

MEDICAL.—Uncovenanted Medical Officers graded in the Notification of the Financial Department, No. 2295, dated 25th April 1867.

POLITICAL.—Assistant Political Agents.

PUBLIC WORKS.—Assistant Engineers of the 3rd grade and officers of higher rank. Assistant Controllers of Accounts and officers of higher rank.

Appendix.—Form A.

# APPENDIX.

## FORMS FOR LAST-PAY CERTIFICATE.

[ In filling up these forms :—

(1.) Allowances should be stated in rupees a month, and not in pounds a year, and in entering "the rate of absentee allowance," it should be stated, in the first place, without reference to the maximum or minimum applicable, and then if a maximum or minimum applies, or if the allowance is such that a future change in the official rate of exchange may render a maximum or minimum applicable, the words should be added "subject to a maximum (or minimum) of, &c."

(2.) In Forms A, B, C, and D, the presidency to which an officer belongs should be stated in the title, and the presidency or province in which he is employed should be stated under the first heading.

(3). In the heading "source from which, &c.," the term "Indian Revenues" should be used in all certificates intended to be sent to England, as the term "Imperial Revenues" has there a different signification. If the allowance is not chargeable finally to the Government of India, the Local Administration or Fund from which it is recoverable must be expressly stated].

## FORM A.

LAST-PAY CERTIFICATE OF *(title and name)* OF THE *(Corps or Service)* PROCEEDING ON *(nature and period of leave)* TO *(place)*.

| | | |
|---|---|---|
| 1. | Government under which employed ... | 1. |
| 2. | Substantive appointment ... ... | 2. |
| 3. | Acting appointment, if any ... | 3. |
| 4. | Period of leave ... ... | 4. |
| 5. | Date of commencement of leave ... | 5. |
| 6. | Rate of absentee allowance and place of payment. | 6. |
| 7. | Date from which first payment is to be made. | 7. |
| 8. | Amount, if any, paid in advance ... | 8. |
| 9. | Source from which absentee allowance is payable. | 9. |
| 10. | Period for, and terms on, which leave may be extended or commuted. | 10. |

*(Place) the (date).*

(SIGNATURE)
*Accountant-General.*

NOTE—In the case of officers on other than privilege leave embarking for Europe at Calcutta, the entry in the 5th and 7th spaces should be—"The date of the pilot quitting the vessel as certified below;" and the certificate below should be in the following form :—

"This is to certify that *(title and name)* is a passenger on board the *(name of vessel)* proceeding to *(destination)*, and left by me at sea this day."

*(Place) the (date).*

(SIGNATURE)
*Pilot.*

Appendix.—Form B.

Appendix.—Form B.

# FORM B.

## (Obverse.)

LAST-PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature of leave*) TO EUROPE.

1. Government under which employed ... 1.
2. Substantive appointment ... ... 2.
3. Acting appointment, if any ... 3.
4. Period of leave ... ... 4.
5. Date of commencement of leave ... 5.
6. Rate of absentee allowance and place of payment. 6.
7. Date from which first payment is to be made. 7.
8. Amount, if any, paid in advance ... 8.
9. Source from which absentee allowance is payable. 9.
10. Period for, and terms on, which leave may be extended or commuted. 10.

(SIGNATURE)

(*Place*) *the* (*date*). *Accountant-General.*

---

Certified that the above-named officer appeared before me on this date, that he stated his intention of embarking for Europe on the *(name of vessel)* which leaves this port on the *(date)*, that he drew an (or no) advance of salary, and that the 5th, 7th, and 8th spaces in the above certificate have been filled up by me accordingly.

(SIGNATURE)

*(Place) the (date).* *Accountant-General or Collector.*

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## (Reverse.)

FROM

THE ACCOUNTANT-GENERAL,

(*Place*),

To

THE ACCOUNTANT-GENERAL (OR COLLECTOR) OF

*(Name of port of embarkation).*

*Dated (place) the (date).*

SIR,

I HAVE the honor to request that when (*title and name of absentee*) produces this letter, you will pay him at the rate of ——— per month from the (*date of departure from Accountant-General's station*) to the day not later than the (*date of expiry of subsidiary or preparatory leave*) preceding his departure from *(name of port of embarkation)*, that you will grant him an advance of ——— if required, and will fill up the certificates on the reverse accordingly. The date to be shown in the 5th and 7th spaces of the last-pay certificate is that of *(title and name)* 's departure from (*name of port of embarkation*).

I have, &c.,

(*Place*) *the* (*date*). (SIGNATURE)

*Accountant-General,*

(*place*)

Appendix.—Form C.

# FORM C.

## (Obverse.)

LAST-PAY CERTIFICATE, &c. *(as in form B.)*

## (Reverse.)

FROM

THE ACCOUNTANT-GENERAL,

*(Name of absentee's presidency).*

To

THE ACCOUNTANT-GENERAL (OR COLLECTOR) OF

*(Name of port of embarkation).*

*Dated (place) the (date).*

SIR,

I HAVE the honor to request that when *(title and name of absentee)* produces this letter, you will pay him at the rate of ——— a month, less the deductions shown in the margin, from the date up to which he last drew salary from the ——— treasury to the date on which he may make over charge of the office of ——— as shown below, and at the rate of ——— a month for the period not exceeding *(maximum of subsidiary or preparatory leave)* from the date on which he may make over charge of that office to the day preceding his departure from *(name of port of embarkation)*, that you will grant him an advance of ——— if required, and fill up accordingly the certificates on the reverse. The date to be shown in the 5th and 7th spaces of the last pay certificate is that of *(title and name of absentee)*'s departure from *(name of port of embarkation)*.

Rs. A. P.

I have, &c.,

(SIGNATURE)

*Accountant-General.*

---

*(Title and name of absentee)* received his salary from the ——— treasury at the rate of ———, less the deductions shown in the margin up to the ———, and to no later date. He made over charge of the office of ——— on the fore (*or* after) noon of the ———

*(Place) the (date).* *Collector of* ———

## Appendix.—Form D.

# FORM D.

## (Obverse.)

LAST-PAY CERTIFICATE OF (*title and name*) OF THE (*Corps or Service*) PROCEEDING ON (*nature of leave*) TO EUROPE.

1. Government under which employed ... 1.
2. Substantive appointment ... ... 2.
3. Acting appointment, if any ... 3.
4. Period of leave ... ... 4.
5. Date of commencement of leave ... 5.
6. Rate of absentee allowance ... 6.
7. Place of payment ... ... 7.
8. Date from which first payment is to be made. 8.
9. Amount, if any, paid in advance ... 9.
10. Source from which absentee allowance is payable. 10.
11. Period for, and terms on, which leave may be extended or commuted. 11.

NOTE.—(*Title and name*)'s pay and acting allowance for the three years preceding (or for the period from the ——— to) this date, exclusive of periods of absence on other than privilege leave, were—

| | | R. | A. | P. |
|---|---|---|---|---|
| Rs. | a month from the (*date*) to the (*date*) ... | 0 | 0 | 0 |
| Rs. | a month from the (*date*) to the (*date*) ... | 0 | 0 | 0 |
| | Total ... | 0 | 0 | 0 |

The rate of absentee allowance admissible to him is half his monthly average pay and acting allowance for the three years preceding (or for the period from the ——— to) the date on which he may make over charge of his office, exclusive of periods of absence on other than privilege leave, provided that the allowance does not exceed ——— * or fall short of———.

* These figures to be entered in accordance with the rules of the service to which the officer belongs.

(*Place*) *the* (*date*). (SIGNATURE)

*Accountant-General.*

---

Certified that the above-named officer appeared before me on this date; that he stated his intention of embarking for Europe on the (*name of vessel*) which leaves this port on the (*date*); that he drew an (or no) advance of salary; and that the 5th, 8th, and 9th spaces in the above certificate have been filled up by me accordingly.

(*Place*) *the* (*date*). (SIGNATURE)

*Accountant-General or Collector.*

**Appendix.—Forms E, F, G, H, K, L.**

## (Reverse.)

FROM

THE ACCOUNTANT GENERAL,

*(Name of absentee's presidency)*,

TO

THE ACCOUNTANT GENERAL (OR COLLECTOR) OF

*(Name of port of embarkation)*,

*Dated (place) the (date).*

SIR,

I HAVE the honor to request that when *(title and name of absentee)* produces this letter, you will pay him at the rate of ——— a month, less the deduction shown in the margin, from the date up to which he last drew salary from the ——— treasury to the date on which he may make over charge of the office of ——— as shown below, and at the rate of half his monthly average pay and acting allowance as shown below for the period not exceeding *(maximum of subsidiary or prepartory leave)* from the date on which he may make over charge of that office to the day preceding his departure from *(name of port of embarkation)*; that you will grant him an advance of ———, if required, and fill up accordingly the certificates on the reverse. The date to be shown in the 5th and 7th spaces of the last-pay certificate is that of *(title and name of absentee)*'s departure from *(name of port of embarkation)*.

Rs. A. P.

———

———

I have, &c.,

(SIGNATURE)

---

*(Title and name of absentee)* received his salary from the ——— treasury, at the rate of ———, less the deduction shown in the margin up to the ——— and to no later date. He made over charge of the office of ——— on the fore (*or* after) noon of the ———. His average monthly pay and acting allowance for the three years preceding (or for the period from the ——— to) the date on which he made over charge of his office is Rs. ———, and the 6th space in the certificate on the face of this form has been filled up accordingly.

*Collector of*

*(Place) the (date).* *Accountant-General.*

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## FORMS E, F, G, H, K, L.

These forms are not reprinted; they will be found in the *Gazette of India*, as follows:

| | | | | | |
|---|---|---|---|---|---|
| Form | E | is the same as | Form | C | Printed with Resolution No. 409, dated 7th May 1869, in *Gazette of India*, 15th May 1869, pages 959 and 960. |
| ,, | F | ,, | ,, | D | |
| ,, | G | ,, | ,, | F | |
| ,, | H | ,, | ,, | G | |
| ,, | K | ,, | ,, | B | Printed with Resolution No. 3904, dated 11th October 1869, in *Gazette of India*, 23rd October 1869, page 406. |
| ,, | L | ,, | ,, | C | |

**Appendix.—Form M.**

# FORM M.

Last-pay certificate of (*title and name*) of the (*corps or service*) proceeding to (*place*) to join the appointment of ——— *or* to officiate as ——— *or* on duty.

——————— has drawn pay as ————, at the rate of ———— a month, and acting allowance as————, at the rate of ————a month, less the deductions shown below, up to the (*date*). He made over charge of the office of ———— on the fore (*or* after) noon of the ————.

| *Deductions.* | | Rs. | A. | P. |
|---|---|---|---|---|
| ———— | ... | 0 | 0 | 0 |
| ———— | ... | 0 | 0 | 0 |
| ———— | ... | 0 | 0 | 0 |
| | | 0 | 0 | 0 |

Supplements A, B & C. Lieutenant-Governor's. Members of Council, Judges of High Courts and certain Legal and Judicial Officers.

## SUPPLEMENT A.

### LIEUTENANT-GOVERNORS.

Leave on medical certificate for not more than six months may be granted to a Lieutenant-Governor. A Lieutenant-Governor is not entitled to any other leave.

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## SUPPLEMENT B.

### MEMBERS OF COUNCIL.

The leave admissible to an Ordinary Member of the Exeeutive Council of the Governor General, or of the Governor of Madras or Bombay, is regulated by Act of Parliament, Section 26 of 24 and 25 Vic., cap. 67.

*Section* 26.—It shall be lawful for the Governor General in Council, or Governor in Council of either of the presidencies, as the case may be, to grant to an Ordinary Member of Council leave of absence, under medical certificate, for a period not exceeding six months, and such member, during his absence, shall retain his office, and shall, on his return and resumption of his duties, receive half his salary for the period of such absence; but, if his absence shall exceed six months, his office shall be vacated.

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## SUPPLEMENT C.

### JUDGES OF HIGH COURTS AND CERTAIN LEGAL AND JUDICIAL OFFICERS.

*Regulations by the Secretary of State in Council of India under the provisions of* 24 *&* 25 *Victoria, cap.* 104, *section* 6, *respecting the furloughs* * * * *of the Chief Justices and Puisne Judges of the High Courts of Judicature for the Bengal Division of the Presidency of Fort William, Madras, Bombay, and the North-Western Provinces; and regulations by the Secretary of State in Council respecting the furloughs and leaves of absence of certain other Legal and Judicial Officers.*

* * * * *

### *Definitions.*

I.—In the following rules, "actual service" includes the period during which a Judge is carrying on his duties in a High Court, also periods spent on privilege and subsidiary leave, and periods of vacation during which the Judge is not on "furlough or extraordinary leave."

"Extraordinary leave" means any leave granted otherwise than under these rules.

Supplement C. Judges of High Courts, and certain Legal and Judicial Officers.

*Furlough.*

II.—One year's furlough shall be placed to the credit of each Judge after the completion of every four years of actual service.

III.—Except under Rules VI and VII, no furlough shall be granted until at credit under Rule II.

Provided that any Judge who may have been already in the service of the Government at the time of taking office in the High Court, and who was at that time entitled, under the rules applicable to the branch of the service to which he belonged, to furlough, without medical certificate, may be granted furlough for a term not exceeding that to which he was so entitled upon the condition that such furlough shall not be taken until the completion of two years' actual service in the High Court, and shall not exceed one year.

IV.—Except under Rule VII, furlough shall not be repeated until after the completion of three years' actual service from the date of the last return from furlough or extraordinary leave.

*N. B.*—The words "furlough or extraordinary leave" inthe above rule mean furlough under these rules or extraordinary leave granted to an officer since he has been a Chief Justice or Judge of a High Court.

V.—The maximum term of furlough to be taken at any one time shall be fifteen months.

VI.—Under medical certificate, furlough may be granted before it is at credit under Rule II.

VII.—On urgent private affairs, furlough may be granted before it is at credit under Rule II, and although three years of actual service have not been completed since the last return from furlough or extraordinary leave.

Provided that furlough under this section shall not exceed six months, and shall be granted only once during the whole period of a Judge's service in the High Court.

VIII.—The aggregate amount of all furlough which can be granted to a Judge during the whole period of his service in the High Court shall not exceed two years and a half.

IX.—Furlough taken in India shall be reckoned from the date of the Judge's quitting his office to the date of

Supplement C. Judges of High Courts, and certain Legal and Judicial Officers.

his return thereto. Furlough taken out of India shall be reckoned from the date of embarkation to the date of return.

In the event of the furlough being taken partly in India, and partly out of India, the commencement and termination of the furlough shall be respectively determined by the above rules, according as the furlough begins or ends in or out of India.

X.—For the interval elapsing between the date of quitting his office and the commencement of furlough out of India, and between the termination of furlough out of India and resuming his office, a Judge may be allowed subsidiary leave not ordinarily exceeding thirty days, which in special cases may be extended.

XI.—A Judge, when on furlough or subsidiary leave, shall receive allowances at the rate of Rs. 833-5-4 per mensem in the case of leave taken in India, or £1,000 per annum in the case of leave taken out of India.

XII.—Except under medical certificate, the number of furloughs to be granted at any one time, and the grant of furloughs to individual Judges shall be subject to, and limited by the exigencies of the service, which exigencies shall be determined exclusively by the authority granting the furlough.

XIII.—If, owing to the exigencies of the service, it may be necessary to place any limit on the number of Judges who may be absent on furlough at the same time, applications not supported by medical certificate will be granted in the following order:

The Judge to whose credit the greatest amount of furlough remains under Rule II, shall have the preference.

If two or more applicants are on an equality in this respect, the preference shall be given to the applicant whose actual service in a High Court is longest, reckoning, in the case of a Judge who has not taken furlough or extraordinary leave, from the date of his commencement of service in the High Court, and, in the case of a Judge who has taken furlough or extraordinary leave, from the date of his last return from such furlough or leave.

If two or more applicants are equal in both respects, the preference shall be given to the senior in the Court.

Supplement C. Judges of High Courts, and certain Legal and Judicial Officers.

*Privilege Leave.*

XIV.—Subject to the exigencies of the service, a Judge who has completed 11 months' continuous duty, inclusive of vacations, may, if the Government be satisfied that there is an urgent necessity, but not otherwise, be granted privilege leave for one month without deduction from his salary or acting allowances.

XV.—In the same manner and under the same conditions an additional month of privilege leave shall be held to accrue to a Judge after each further period of 11 months' continuous duty.

XVI.—Privilege leave shall not be taken in instalments, but any balance of privilege leave that may not have been taken shall be added to the next privilege leave which may accrue.

Provided that the whole privilege leave taken at any one time shall not exceed three months, and that any accumulation of privilege leave beyond that period shall be forfeited.

*N. B.*—Financial Resolution of the Government of India, No. 401, dated 24th April 1869, shall not be held to apply to a Chief Justice or Judge of a High Court, even though, under Rule XXIII, he may elect to abide by former rules. Whatever rules such an officer may elect, privilege leave shall not be granted to him except on urgent necessity being shown.

*General.*

XVII.—Furlough and privilege leave shall not be taken as such in continuation of each other, but if a Judge absent on one of these classes of leave be allowed to change it for another, the whole period of his absence shall be held to be under the class of leave for which it was changed.

XVIII.—Applications for leave shall in all cases be submitted in such manner as the Government may, from time to time, prescribe.

XIX.—Leave allowances shall be payable monthly if payment is taken in India, and quarterly if payment is taken in England.

XX.—No substantive appointment shall be vacated merely by reason of leave being granted under these rules.

XXI.—If a Judge shall overstay any leave, he shall forfeit all salary during the time of his remaining so absent, and if he shall so continue absent for more than one week, his office shall be liable to become vacant.

Supplement C. Judges of High Courts, and certain Legal and Judicial Officers.

XXII.—No leave, except privilege leave and leave subsidiary to furlough, shall count as service for pension.

XXIII.—Each Judge who stood appointed to a High Court on the 7th August 1869, and has taken no leave since then, shall, on the next occasion of his taking leave, be given the option of accepting these rules or abiding by those in force before that date for Judges of the High Courts of Judicature. Any Judge who has taken leave since the 7th August 1869, must abide by the rules he elected when taking that leave.

*N. B.*—Under the above rule a Covenanted Civil Servant, who stood appointed as Judge of a High Court on the 7th August 1869, may take leave on medical certificate under the rules which were in force before the 1st July 1868, for the grant of such leave to Covenanted Civil Servants generally.

XXIV.—If a Judge, who is a Covenanted Civil Servant, shall be permitted to resign his office and remain in the service, all leave which he may have taken as a Judge of the High Court shall be reckoned as if it had been taken under the rules for the leave of absence of Covenanted Civil Servants.

XXV.—The above rules regarding furlough and leave of absence (I to XXIV) are, with the modifications A and B below stated, applicable also to the following officers :—

Barrister-Judges of the Chief Court of the Punjáb.

Recorders in Burmah.

First Judges of Small Cause Courts at Presidency Towns.

Secretary to the Council of the Governor General for making Laws and Regulations.

*Modifications indicated above.*

A.—The allowances of these officers while on furlough or subsidiary leave shall not exceed half their salaries, and shall be limited also to the rate prescribed in Rule XI.

B.—The privilege leave of the officer last named shall be regulated by the * * Civil * * Leave Code.

## SUPPLEMENT D.

### TO LAW OFFICERS.

Law Officers.

Sick Leave and Short Leave on Private Affairs (now called Privilege Leave) may be granted to Law Officers in accordance with the rules of the 8th June 1855 for the Grant of Leave of Absence to Covenanted Civil Servants. Provided that no additional expense be caused in consequence of the leave.

## SUPPLEMENT E.

## CHAPLAINS.

### PRELIMINARY.

Chaplains.

*Section* **1**.—The following rules regulate the grant of leave to Chaplains.

*Section* **2**.—In these rules—

Active service

(*a*) "Active service" includes besides time spent on duty—

(1). Privilege leave of absence.

(2). Subsidiary leave of absence.

(3). Time passed in India out of employ, but not on leave.

Extraordinary leave.

(*b*) "Extraordinary leave" means leave of absence granted otherwise than under these rules.

*Example.*—Leave in extension of the three years admissible under Section 5 (*b*).

Continuous.

(*c*) "Continuous service" and "continuous active service" mean the service and active service of a Chaplain since his last return from furlough or extraordinary leave lasting more than three months; or, if he have not had such leave, since the beginning of his active service.

No leave can be included in continuous service except privilege leave and special leave.

### FURLOUGH.

Aggregate admissible.

*Section* **3**.—The amount of furlough admissible to a Chaplain is limited to six years. All the rules in this Supplement are subject to this limitation.

*Sections* 1—3.

## Supplement E. Chaplains.

Furlough and leave with allowances on medical certificate under former rules are counted as furlough under this rule; but leave of absence in India taken before the 25th August 1854 is not.

Amount due.

*Section* 4 (*a*).—The amount of furlough "earned" by a Chaplain is one-fourth of his active service, and three months in addition thereto.

(*b*).—The amount of furlough "due" to a Chaplain is the amount which he has earned, diminished by—

(1) the amount of furlough which he has enjoyed under these or any former rules;

(2) the excess over one year in the amount of leave with allowances on medical certificate which he has enjoyed under former rules.

Amount admissible

*Section* 5. (*a*).—To a Chaplain who has rendered three years' continuous service, furlough for not more than two years may be granted as follows:—

*First,* on medical certificate,—unconditionally;

1. Section 25 of the Code, Rule 2, applies generally to Chaplains also.

*Secondly,* without medical certificate,—subject to these provisoes—

(1) that the furlough be due to him;

(2) that he have rendered seven years' active service;

(3) that the whole number of Chaplains absent on furlough and special leave do not exceed the limit appointed by the Government of India.

1. Except on medical certificate, or on very urgent private affairs, furlough or special leave may not be granted to Church of England Chaplains employed in the diocese of Calcutta, if 15 per cent. of the whole number of such Chaplains are already absent on furlough or special leave. The Bishop of Calcutta will report to the Government of India when the limit is reached.

(*b*).—Furlough taken under this section may, on medical certificate, be extended to not more than three years.

## Supplement E. Chaplains.

*Section* 6 (*a*).—To a Chaplain who has not rendered three years' continuous service, furlough for not more than one year may be granted on medical certificate.

(*b*).—Furlough granted under this section for less than one year may, on medical certificate, be extended to not more than one year.

Allowances.

*Section* 7.—A Chaplain on furlough is entitled to allowances as follows:—

| | On ordinary furlough. | On other furlough. |
|---|---|---|
| Archdeacon, and the Senior Chaplain of the Church of Scotland | £600 a year | £480 a year. |
| Senior Chaplains ... | ...£500 „ | £384 „ |
| Junior Chaplains ... | ...£350 „ | £300 „ |

*Explanation.*—Ordinary furlough includes—

(1) the first two years of each separate period of furlough under Section 5;

(2) so much of furlough under Section 6 as may be due, provided that the Chaplain have rendered six months' continuous active service.

1. If a Chaplain on furlough, by the completion of ten years' service, passes from the rank of Junior Chaplain into that of Senior, he immediately becomes entitled to the higher furlough allowance.

2. A Chaplain on furlough does not forfeit his past leave allowance by resigning the service, without returning to India.

SPECIAL LEAVE OF ABSENCE.

Amount admissible

*Section* 8.—Special leave on urgent private affairs may be granted at any time, for not more than six months:

Provided that a Chaplain, who has had special leave, must render six years' active service before he can again have such leave.

Allowances.

*Section* 9 (*a*).—For the first period of a Chaplain's special leave, he is entitled to the leave allowance admissible during ordinary furlough.

(*b*).—In subsequent periods he is entitled to on leave allowance.

Supplement E. Chaplains.

SUBSIDIARY LEAVE OF ABSENCE.

Amount admissible.

*Section* **10** (*a*).—Furlough and special leave, out of India, begin on, and include, the date of the departure of the vessel on which the Chaplain sails; and to a Chaplain taking such leave, subsidiary leave, not ordinarily exceeding thirty days, may be granted from the day on which he gives up duty to the day before that on which his furlough or special leave begins.

(*b*).—Furlough and special leave, out of India, end on, and include, the date of the arrival of the vessel in which the Chaplain is; and to a Chaplain returning from such leave, subsidiary leave not ordinarily exceeding thirty days may be granted from the day after that on which the vessel arrives, to the day before that which he assumes the duty to which he may be appointed.

1. Subsidiary leave for more than thirty days may be granted in cases of necessity; but all such grants and the reasons for them are to be reported to the Government of India.

2. A Chaplain may leave India, or return to India, by any port he likes; but the dates by which the beginning and end of furlough and special leave are determined, are the date of the vessel's departure from the port where he first meets it, and arrival at the port where he quits it. For instance: a Chaplain sailing from Calcutta in a vessel which touches at Madras, counts by the date of departure from Calcutta, and not from Madras.

3. The date of the departure of a vessel from Calcutta is held to be the date on which the pilot leaves it at sea.

*Explanation.*—A Chaplain may take furlough or special leave partly in, and partly out of, India. But subsidiary leave is not admissible under clause (*a*) of this section unless the furlough or special leave begins as furlough or special leave out of India; nor under clause (*b*), unless it ends as furlough or special leave out of India.

Allowances

*Section* **11.**—A Chaplain on subsidiary leave is entitled to the same allowances as during the leave to which it is subsidiary.

1. A Chaplain may draw allowances as if he were on privilege leave, for any part of his subsidiary leave under clause (*a*) of Section 11, for which, if he were not going on furlough or on special leave, privilege leave would be admissible to him.

*Sections* 10—11.

## Supplement E. Chaplains.

PRIVILEGE LEAVE OF ABSENCE.

Amount admissible.

*Section* **12.** Privilege leave may be granted as follows:—

After five months' uninterrupted duty,—for not more than one month.

After ten months' uninterrupted duty,—for not more than two months.

3. The date of the departure of a vessel from Calcutta is held to be the date on which the pilot leaves it at sea.

After fifteen months' uninterrupted duty,—for not more than three months.

1. Before privilege leave can be granted, the Chaplain must record a declaration that he has no intention of retiring or of taking furlough, special leave, or leave on medical certificate, within three months of his return to duty. Though not absolutely debarred by this declaration from applying to retire or to take such leave within the period of three months, he should, if he does so, explain fully his change of mind.

Allowances.

*Section* **13.**—A Chaplain on privilege leave is entitled to the same pay and house rent as if he were on duty.

1. A Chaplain on privilege leave is not entitled to "local allowances," such as conveyance allowance, jail allowance, and the special allowance to the Senior Chaplain of the Church of Scotland. Such allowances are drawn in full by the substitute.

2. The Chaplain's substitute may draw the house-rent, although it is also drawn by the absentee.

MISCELLANEOUS.

Extension, &c.

*Section* **14.**—The rules for—

(1) Extension and commutation of leave;

(2) Payment of leave allowances;

are those contained in Sections 22 and 23 of the Code, and the rulings subjoined. But to a Chaplain going on furlough to England, an advance of the first quarter's allowances may be made, and the advance shall not be recoverable in the event of his death.

1. A Chaplain on leave in any of the British Colonies may draw his leave allowances there through the Control Pay Master in the same manner as a military officer. But the requisite authority to pay must first be given by the Government of India.

## Supplement E.—Chaplains

*Section* **15**.—Applications for leave are to be dealt with as the Governor General in Council may from time to time prescribe; and priority of claim is determined in accordance with Section 26 of the Code.

1. The following rules have been prescribed by the Home Department with reference to applications for leave from Chaplains on the Bengal ecclesiastical establishment, and from Chaplains on other establishments serving in the Diocese of Calcutta :—

I.—Subject to the exigencies of the public service, Local Governments and Chief Commissioners are empowered, with the concurrence of the Bishop of Calcutta, to grant any furlough or special leave authorized by the rules to Chaplains serving within their respective jurisdictions. But the Government of India alone grants leave to Chaplains of the Church of Scotland serving in the Bengal Presidency.

II.—If a Chaplain applying for furlough or special leave belong to the Madras or Bombay ecclesiastical establishment, the Local Government or Administration under which he is serving will, if the furlough or leave be granted, inform the Government of Madras or Bombay as the case may be.

III.—The Bishop of Calcutta is empowered to grant privilege leave to Chaplains under Section 12, subject to the exigencies of the State, of which the Bishop shall be the judge. But the grant, cancelment, or extension of such leave should be reported to the Local Government or Administration concerned.

IV.—All applications for leave or furlough should be accompanied by a certificate from the Local Accountant General, showing that the applicant is entitled to the leave asked for, and should, as a general rule, be forwarded, in the first instance, through the proper channel to the Bishop of Calcutta, who will transmit applications for furlough or special leave, with His Lordship's remarks, to the Local Government or Administration concerned, and will himself dispose of applications for privilege leave. But in cases of urgency, leave on medical certificate may be granted by the Local Government or Chief Commissioner in anticipation of the concurrence of the Bishop, who should, however, be informed without delay.

V.—Except under orders of the Secretary of State, the term of furlough or special leave cannot be altered without the permission of the Government or Administration by which it may have been granted.

Supplement F.—Uncovenanted Officers generally.

VI.—Every Chaplain who obtains leave or furlough shal supply himself with a last-pay certificate, and with a statement showing the pay which he is entitled to draw while absent. It shall be the duty of the Local Accountant General to furnish these documents, and no leave allowances will be payable without their production.

VII.—A quarterly statement of Chaplains absent on furlough or special leave, with the dates of the grant and expiry of such furlough or leave brought up to the 31st March, 30th June, 30th September, and 31st December of each year, shall be punctually furnished by Local Governments and Administrations to the Government of India in the Home Department.

VIII.—From these quarterly returns, a register will be compiled and kept at the Office of the Secretary to the Government of India in the Home Department, of all grants to Chaplains on leave or furlough, of all extensions of leave or furlough, and of all returns to duty from absence. This register will be published quarterly in the *Gazette of India.*

IX.—Every Chaplain returning to duty shall report his return to the Bishop, and to the Local Government and Administration by which his leave or furlough may have been granted.

X.—If any Local Government or Administration shall see fit to refuse a furlough to any Chaplain on the ground of the exigencies of the public service, it shall report such refusal for the confirmation of the Government of India.

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## SUPPLEMENT F.

### UNCOVENANTED OFFICERS GENERALLY.

[Such of the rules under the Sections of the Code as are not expressly restricted to Covenanted Civil Servants, or are not explanatory of points in which the provisions of the Code differ from those in this Supplement, apply also to Uncovenanted officers generally.]

PRELIMINARY.

Application of the Rules.

*Section* 1.—Leave of absence from duty may be granted under the following rules to officers who have substantive appointments on permanent establishments under the Government, and who are not entitled to leave under any of the other rules in this Code or its Supplements. The rules apply fully only to those whose pay is not less than Rs. 100 a month, but may be applied, in their general spirit, to officers whose pay is less than Rs. 100 a month.

*Section* 1.

Supplement F.—Uncovenanted Officers generally.

**Supplement F.—Uncovenanted Officers generally.**

1. Officers and men of the Army, and officers in the Subordinate Medical Department, are under Military rules, and these rules do not apply to them. The leave of members of the Pilot Service is also governed by special rules.

2. Officers appointed as probationers for a certain period prior to formal appointment, are entitled to the same leave as if they held substantive appointments.

3. Officers holding temporary or officiating appointments only, are not entitled to leave of any kind; but a limited amount of leave may be allowed to such officers under the conditions hereinafter stated.

4. Service in a capacity to which the leave rules do not apply does not qualify for leave under them, in the event of the officer afterwards coming under them. Service under a Local Fund of the kind mentioned in Civil Pension Code, Section 28, may qualify for leave under the rules, but the allowances given during such leave must be disbursed from the Local Fund and from general revenues in the proportion in which the salary has been paid from these sources during the period qualifying for the leave.

Pay, and salary.

*Section* **2.**—In these rules, "pay" means substantive pay; "salary" means the sum of pay and acting allowance.

1. Personal allowance is to be taken as part of an officer's substantive pay.

Average salary.

"Average salary" means the average calculated for so much of the three years immediately preceding the day on which the officer gives up office, as he has passed on duty, or on privilege leave. But in all cases of leave for not more than one month, and also whenever the officer's pay is less than Rs. 100 a month, the pay of the officer's appointment at the time he gives up office is to be taken in lieu of his "average salary."

"Half average salary" is always subject to a maximum of Rs. 500 a month if paid in India, and £150 a quarter if paid at the Home Treasury of the Government of India.

"One quarter average salary" is always subject to a maximum of Rs. 400 a month if paid in India, and £120 a quarter if paid at the Home Treasury.

LEAVE ON MEDICAL CERTIFICATE.

Amount.

*Section* **3.**—Leave on medical certificate may be granted, whenever sufficient cause is shown, for

Supplement F.—Uncovenanted Officers generally.

three years in all, but not for more than two years at one time; and no officer can have leave on medical certificate beyond India more than twice.

1. An officer who has a temporary or officiating appointment only may be allowed leave under this Section for not more than three months, if the Local Government consider no substitute to be necessary, or can provide for his duties without additional expense.

Allowances.

*Section* 4.—An officer on leave under Section 3 is entitled to half of his average salary for the first fifteen months of each period of absence, but not for more than thirty months in all.

For the rest of the leave he is entitled to a quarter of his average salary.

LEAVE ON PRIVATE AFFAIRS.

Amount.

*Section* 5.—Leave on private affairs for six months at a time may be granted to an officer who has not had furlough. The first leave under this section may be taken after six years' service, and the leave may be repeated after intervals of six years.

1. Leave on private affairs does not accumulate, nor can it be taken in instalments.

Allowances

*Section* 6.—An officer on leave under Section 5 is entitled to half of his average salary.

1. An officer does not forfeit the allowance to which he is entitled under this section, by resigning the service at the end of the leave.

FURLOUGH.

Amount.

*Section* 7.—Furlough may be granted, as follows, to an officer who has not had leave on private affairs:—

After ten years' service, one year; and after eighteen years' service, another year; or in one period of two years, after eighteen years' service.

1. Leave on medical certificate counts as service for furlough.

2. Leave on private affairs under the rules in force before the 8th June 1863, does not prevent the grant of furlough under this section.

Allowances.

*Section* 8.—An officer on furlough is entitled to half of his average salary.

Supplement F.—Uncovenanted Officers generally.

LEAVE WITHOUT ALLOWANCES.

Amount.

*Section* **9**.—Leave without allowances may, in cases of necessity, be granted for such time as may be necessary. Time spent on leave under this section does not count as service for other leave.

1. There is no limit to the length or frequency of leave under this section, and it may be granted in continuation of leave on medical certificate, or furlough.

SUBSIDIARY LEAVE.

Amount.

*Section* **10**.—Leave subsidiary to leave on medical certificate, leave on private affairs, or furlough, when taken out of India, may be allowed as prescribed in Section 15 of the Code for such time as may be sufficient. Fourteen days only are allowed to an officer at a presidency town, who takes leave on medical certificate out of India. Subsidiary leave may also be granted to an officer going on, or returning from, leave on medical certificate to a sanitarium in India.

Allowances.

*Section* **11**.—An officer on subsidiary leave prefixed to other leave, is entitled to half his average salary. An officer on subsidiary leave following other leave, is entitled to half his average salary, or one quarter of his average salary, according to the rate of allowance to which he may be entitled at the end of the leave to which it is subsidiary.

1. But see Code, Section 15 (*b*), Rule 1, and Section 17, Rule 1.

PRIVILEGE LEAVE.

*Section* **12**.—Privilege leave may be granted in accordance with the rules in Chapter VI of the Code: provided that no officer whose salary is less than Rs. 200 a month can draw any allowances for privilege leave until he returns to duty.

1. An officer who has only a temporary or officiating appointment only, may be allowed privilege leave, if the Local Government consider no substitute to be necessary, or can provide for his duties without additional expense.

2. Ministerial officers of High Court are not allowed privilege leave, if they are allowed to be absent during the High Court vacation.

Supplement F.—Uncovenanted Officers generally.

GENERAL.

Accumulation of leave

*Section* **13**.—Leave on private affairs and furlough cannot be taken in continuation of any other leave except subsidiary leave; but any leave may be retrospectively changed for any other kind or amount of leave which might at first have been granted; and if an officer absent on privilege leave, or on leave on private affairs, take extension of leave on medical certificate, the whole of the absence will be treated as leave on medical certificate.

Lien on appointment.

*Section* **14**.—No officer's appointment becomes vacant, simply by reason of his taking leave under these rules. But absence without leave, or after the end of leave (except privilege leave, in which case a week's grace is allowed) involves loss of appointment; and after five years' continuous absence, whether with or without leave, an officer is considered to be out of Government employ.

1. The Secretary of State, in granting to officers extension of leave, sometimes declines to guarantee retention of appointment, if there is no time to communicate with the Local Government in India.

2. An officer who goes on leave out of India has no claim to return to the *particular* local appointment from which he took leave.

APPLICATIONS FOR LEAVE.

Applications for leave.

*Section* **15** (*a*).—Leave may be granted to an officer by the authority whose duty it would be to fill up his appointment if vacant. The Local Government may empower heads of departments to grant privilege leave to officers under their orders, who are appointed by Government; but if the officer, to whom leave is granted, be a gazetted officer, the grant of leave must be reported to the Local Government.

Monthly Return.

(*b*).—A monthly return of non-gazetted officers absent on leave should be prepared in the following form, and should accompany each establishment pay bill :—

1, Absentee's name; 2, his appointment; 3, pay of his appointment; 4, nature of the leave, and section under which granted; 5, period of leave; 6, excess of pay over leave

Supplement F.—Uncovenanted Officers generally.

allowance; 7, name of substitute (if any); 8, acting allowances consequent on the leave; 9, excess of column 6 over column 8, showing the amount to be deducted from the establishment pay bill; 10, remarks.

Medical. Certificate

1 (*a*).—Applications for leave, or extension or commutation of leave, on medical certificate, must be accompanied by a statement from the applicant's medical attendant, distinctly stating from personal observation the nature of the illness, its symptoms, causes, and duration.

(*b*).—A certificate must also be submitted from the chief medical officer of the station or district, or, if the officer is at the presidency, from a Presidency Surgeon, to the effect that, after careful personal investigation he considers a certain period of absence absolutely requisite for the restoration of health.

(*c*).—If the leave be for more than six months, the papers must be submitted for countersignature by the Deputy Inspector General; and if the leave is to be taken out of India, by the Principal Inspector General also, unless danger be incurred by the delay.

(*d*).—If the applicant be already on leave out of India, the certificate under clause (*a*) must state the period during which the Surgeon or Physician has attended the officer, and it must be countersigned, after *personal* examination, by the Medical Board of the India Office, or by the principal medical authority of the colony or country where the absentee may be.

(*e*).—The forms of certificate prescribed in the Code, Section 25, Rule 2, may be used as far as applicable.

*Section* 15.



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